

1975 WL 29538 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 26, 1975

\*1 Mr. William A. Dallis  
Director  
South Carolina Court Administration  
Post Office Box 11788  
Columbia, SC 29211

Dear Mr. Dallis:

Thank you for your letter of January 14, 1975. In that letter you posed the question as to whether magistrates of Anderson County have general county-wide jurisdiction for the issuance of arrest and search warrants or civil papers. At the outset, I might point out that you are correct in your observation as regards the 'apparent conflict' between Act No. 192, Acts and Joint Resolutions, 1973 and Act No. 60, Acts and Joint Resolutions, 1965. In any case, your question so posed must be answered in the affirmative, viz; magistrates of Anderson County may exercise general county-wide jurisdiction. Reference is made to an opinion issued by this Office to the effect that 'Unless prohibited by legislative enactment, Magistrates in South Carolina have county-wide jurisdiction.' (1961-62 Opinions of Att'y. Gen. No. 1126, p. 213) On the basis of that opinion, it would appear that Act No. 60 relieves magistrates of Anderson County of the legislative prohibition imposed by the former act. It is my understanding that this Office has previously reached a similar result on the matter. I have appended a copy of the opinion herein cited as well as copies of Acts 192 and 60. It is hoped that your question has received satisfactory treatment. If in the future I any further assist you, feel free to contact me at this Office. Sincerely,

Herman L. Moore  
Law Clerk

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